

### **Remarks**

The Office Action mailed February 14, 2006 has been carefully considered. Apparatus Claims 1-52; 53-76; and 77-150; and corresponding method Claims 151; 152; and 153 remain in the case with none of the claims having been allowed.

The Office Action rejected Claim 1-153 of the application as being anticipated by U.S. Patent No. 6,826,542 to Virgin *et al.* ("Virgin"), which discloses a central invoicing system for permitting payors to create a list of invoicers from whom they wish to receive invoices and customize the format of the invoices they wish to receive. The payor also access the system to view, process, and approve the invoice. If the invoice is approved, it is transmitted to the payor's financial system.

The Examiner asserted that Virgin discloses, at col. 2, line 23-67; col. 11, line 40 to col. 12, line 46; and fig. 5b, 6b, and 11-all, the Applicant's payment engine of claims 2, 77, and 153. Column 2, lines 23-67 of Virgin, however, discloses an invoicing system, one aspect of which is to "provide a payor-based approach to electronic invoicing" by providing a system "for payors to customize the format of their invoices, view each invoice item by item, and approve or dispute those invoices on an item by item basis." Column 2, lines 23-28 of Virgin.

Virgin also discloses an invention that "works to simplify and downsize" both the payor's internal financial system and the invoicer's system by "eliminat[ing] the need for a translation or conversion program" on either system. Furthermore, Virgin's system authenticates as to source and format, and consolidates invoices "into one file to be transmitted to the payor." Column 2, lines 29-42 of Virgin.

Virgin's system also "allows the payor to establish a rule-based, multi-level invoice authorization, approval, and routing process" to "[ensure] that only the appropriate people in the payor's organization approve the payment of an invoice and that the system is secure against abuse." Furthermore, invoicers using Virgin's system are able to "view the payment status of their invoice [to determine whether] the invoice has been received, approved, partially approved, or disputed ...". Column 2, lines 43-61 of Virgin.

Another aspect of the invention gives functionality to the invoicer to redirect their printer stream to supply invoice information for invoicing the payor in the same manner that the

invoicer would print to a printer. This aspect makes submitting invoices to customers as easy as printing invoices on a printer.

Thus, Column 2, lines 23-67 of Virgin does not disclose the Applicant's payment engine. In fact, this part of Virgin does not disclose any process or system whatsoever for *electronically transmitting invoice payment instructions*. Column 2, lines 23-67 of Virgin is concerned with an invoicer's presentation of invoices to a payor, not with a customer's transmission of payment instructions to an invoicer, and especially not with a payment engine.

FIG. 5B of Virgin is a diagram of an invoice approval rules entry screen 450 that a payor may use to define a variety of invoice approval rules that Virgin describes thusly:

[T]he approval rules can define which departments are to receive a particular invoice and who is authorized to approve an invoice. As illustrated in FIG. 5A, in one embodiment, the rules can define that a particular department such as ABC department within a payor's organization receive invoices from particular vendors. In addition, the rules can define that if an invoice exceeds \$10,000, Jane Smith is authorized to approve the invoice. Thus, when an invoice from a particular vendor specifies ABC department and exceeds \$10,000, the invoice approval system 400 will rely on the rules to route the invoice to Jane Smith for approval.

Column 10, lines 54-65 of Virgin. So, FIG 5B of Virgin does not disclose the Applicant's payment engine for transmitting payment instruction from a customer to an invoicer.

The Examiner further asserts that Column 11, line 40 to Column 12, line 46, which is written with reference primarily to FIGS. 6A and 6B, of Virgin discloses the Applicant's claimed payment engine. FIG. 6B of the reference, however, is a diagram of the invoice entry screen 550 (of FIG. 6B) that an invoicer uses to create an invoice in a payor's desired invoicing format. Column 11, lines 41-42 of Virgin. Furthermore, "[a]fter the invoice is created, at state 510 [of FIG. 6A], the invoicer may, at state 515 [of FIG. 6A], choose to save a draft of the invoice on the central invoice system 105 [of FIGS. 1 and 2] or choose to submit the invoice for presentment to the payor." Column 12, lines 16-19 of Virgin.

Furthermore, the payor may access the invoice on the central system 105 (of FIGS. 1, 2, 4, 7 and 8), or the invoice may be transmitted to a payor system 110 (of FIGS. 1, 2, 4, 7 and 8). If the invoice remains on the central system 105, the payor may access the invoice on the system 105, and approve payment of the invoice, after which the invoice is imported to the payor's financial system 130. If the invoice is submitted to the payor, the invoice is ultimately imported

into the payor's financial system 130 (of FIG. 2), at state 535 (of FIG. 6A), and awaits approval by the payor. Column 12, lines 38-46 of Virgin.

Thus, Virgin describes in detail, at Column 11, line 40 to Column 12, line 46, and FIG. 6A, processes that enable an *invoicer* to prepare an invoice in a format requested by a payor and provide that invoice to the payor electronically. Virgin is therefore concerned with presenting an invoice to a payor. The reference does not teach or suggest a payment engine for electronically transmitting invoice payment instructions *from* a customer *to* invoicers.

Moreover, the Examiner asserts that FIG. 11, without discussion of Virgin's description of the drawing, discloses the Applicant's previously claimed embodiments including a payment engine having a customer authorization interface adapted to transmit customer payment instructions to each of at least two invoicers including a customer payment account. Figure 11 of Virgin, however, is a screen shot of an invoice status screen 950 that an *invoicer* can access to view the payment status of submitted invoices. Col. 14, lines 28-47 of Virgin. Accordingly, "the invoice status screen 950 includes data display fields for invoice number, transmission status, scheduled payment date, and other appropriate invoice information." Col. 14, lines 50-54. FIG. 11 of Virgin does not disclose an interface adapted to transmit customer payment instructions.

Therefore, Claim 1 has been amended to describe an automated invoicing and payment consolidation system including an invoicer interface, a remote customer interface, and a payment engine for electronically transmitting invoice payment instructions from the customer to each invoicer. Claim 151 describes a method that includes electronically transmitting invoice payment instructions from the customer to each invoicer. Since Virgin does not disclose or suggest a system including such a payment engine or a method that includes transmitting invoice payment instructions, Claims 1-52 and 151 now appear to be in condition for allowance over the reference.

Claim 53 describes a consolidated invoicer interface including at least one access point to each of at least two invoicers, means for setting the access point for at least one customer, means for authentication of each of said customers, means for automatically requesting account information for the customers directly from each of the invoicers, and means for electronically transmitting payment instructions from the customer to each invoicer. Claim 152 describes a method that includes electronically transmitting invoice payment instructions from customers to each invoicer. Since Virgin does not disclose or suggest a system including such means for

electronically transmitting payment instructions or a method that includes transmitting payment instructions, Claims 53-76 and 152 now appear to be in condition for allowance over the reference.

Claim 77 has not been amended and continues to describe an automated electronic invoicing and payment consolidation system including a consolidated invoicer interface, a remote customer interface, and a payment engine. The payment engine includes invoice presentation electronics and a remote customer authorization interface adapted to receive customer billing data and a request for payment instructions, provide the billing data and the request for payment instructions to the customer, receive customer payment instructions, and transmit the payment instructions directly to each of the invoicers.

Claim 153 has been amended to describe a method that includes sending customer payment instructions from the customer directly to each of at least two invoicers using a payment engine including invoice presentation electronics and a remote electronic customer authorization interface adapted to: receive customer billing data, provide the customer billing data, receive customer payment instructions; and transmit the customer payment instructions directly to each of at least two invoicers. Virgin does appear to disclose or suggest a system including such a payment engine or a method including transmitting customer payment instructions directly to each of at least two invoicers, so Claims 77-150 and 153 appear to be in condition for allowance over the reference.

Thus, it is submitted that by this Amendment, the case is in condition for allowance and such action is respectfully requested. However, if any issue remains unresolved, a telephone call to the undersigned to expedite allowance and issue will be welcomed.

Respectfully submitted,



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